

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

WALTER CHRUBY,	:	
Plaintiff	:	CIVIL ACTION NO. 3:17-01631
v.	:	(MANNION, D.J.)
		(SAPORITO, M.J.)
KIRK BEARJAR	:	
PENNSYLVANIA, et al.	:	
Defendants	:	

ORDER

Presently before the court is Magistrate Judge Joseph F. Saporito, Jr.'s report and recommendation ("Report"), which recommends that plaintiff's motion for preliminary injunctive relief against non-parties Jeane Holdren, Correct Care Solutions, and the Pennsylvania Department of Corrections be dismissed. (Doc. 94). Neither party has filed objections to Judge Saporito's Report.

When no objections are made to the report and recommendation of a magistrate judge, the court should, as a matter of good practice, "satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Fed.R.Civ.P. 72(b); advisory committee notes; *see also Univac Dental Co. v. Dentsply Intern., Inc.*, 702 F.Supp.2d 465, 469 (M.D.Pa. 2010) (citing *Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987)

(explaining judges should give some review to every report and recommendation)). Nevertheless, whether timely objections are made or not, the district court may accept, not accept, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. 28 U.S.C. §636(b)(1); M.D.Pa. L.R. 72.31.

After careful review, the court finds no clear error on the face of the record, and therefore, shall adopt the report and recommendation.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

- (1) Judge Saporito's Report (Doc. 94) is ADOPTED IN ITS ENTIRETY;**
- (2) The defendant's motion for preliminary injunctive relief is DENIED;**
- (3) This case is REMANDED to Judge Saporito for further proceedings.**

s/ Malachy E. Mannion

MALACHY E. MANNION
United States District Judge

DATE: November 5, 2021

17-01631-02